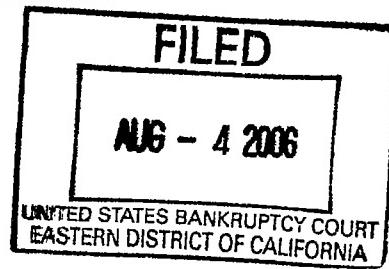


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5                   UNITED STATES BANKRUPTCY COURT  
6                   EASTERN DISTRICT OF CALIFORNIA  
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9       In re    Case No. 05-33669-C-7  
10      DOUGLAS RON EATTOCK,                                  )  
11      Debtor.    )  
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**FINDINGS OF FACT AND CONCLUSIONS OF LAW  
ON MOTION TO AVOID LIEN**

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These findings of fact and conclusions of law are  
rendered in this contested matter pursuant to Federal Rule of  
Civil Procedure 52 as incorporated by Federal Rules of  
Bankruptcy Procedure 7052 and 9014. Evidence was taken  
pursuant to Federal Rule of Civil Procedure 43(e), as  
incorporated by Federal Rule of Bankruptcy Procedure 9017 and  
as invoked by Local Bankruptcy Rule 9014(e).

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Jurisdiction

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Jurisdiction is founded upon 28 U.S.C. § 1334. This is  
a core proceeding. 28 U.S.C. § 157(b)(2)(K).

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2                   Findings of Fact

3       On June 2, 2006, the debtor filed a motion requesting  
4       that this court avoid a judgment lien in favor of U.S. Bank  
5       ("creditor") because the lien impairs the debtor's homestead  
6       exemption. The lien attaches to the debtor's residence at  
7       10424 Cohasset Road, Chico, California ("the property"). The  
8       debtor properly served notice and creditor did not file an  
9       opposition. A hearing was scheduled July 18, 2006, to consider  
10      the motion. The motion was then continued and scheduled to be  
11      heard on August 29, 2006. Upon review of the record, the court  
12      determined that the written record was adequate and that no  
13      oral argument was necessary.

14       Debtor scheduled the property at a value of \$72,000.  
15       Other liens in the approximate amount of \$140,574.14 are the  
16       subject of other motions to avoid liens.

17       The debtor's motion claims that the lien in favor of  
18       U.S. Bank impairs debtor's homestead exemption. Debtor claimed  
19       the property as exempt for \$75,000.

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21                   Conclusions of Law

22       A debtor may avoid the fixing of a lien on an interest  
23       of the debtor in property to the extent that the lien impairs  
24       an exemption that is properly claimed and to which there is no  
25       objection. 11 U.S.C. § 522(f)(1). The record reflects that  
26       the lien in favor of U.S. Bank impairs an exemption to which  
27       the debtor is entitled.

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1           The motion will therefore be granted. An appropriate  
2 order will issue.

3           Dated: August 4 , 2006

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7           UNITED STATES BANKRUPTCY JUDGE  
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1                   CERTIFICATE OF SERVICE

2                   On the date indicated below, I served a true and  
3                   correct copy(ies) of the attached document by placing said  
4                   copy(ies) in a postage paid envelope addressed to the person(s)  
5                   hereinafter listed and by depositing said envelope in the  
6                   United States mail or by placing said copy(ies) into an  
7                   interoffice delivery receptacle located in the Clerk's Office.

8                   Douglas Eattock  
9                   10424 Cohasset Road  
10                  Chico, CA 95973

11                  Michael O'Dowd Hays  
12                  676 E. 1st Ave. #5  
13                  Chico, CA 95926

14                  John Reger  
15                  P.O. Box 933  
16                  Palo Cedro, CA 96073

17                  Dennis Cowan  
18                  P.O. Box 992090  
19                  Redding, CA 96099-2090

20                  U.S. Bank of California  
21                  c/o U.S. Bancorp  
22                  111 SW 5th Ave. T-2  
23                  Portland, OR 97204

24                  U.S. Bank  
25                  Bankruptcy Department  
26                  P.O. Box 5229  
27                  Cincinnati, OH 45201

28                  CT Corporation System  
29                  818 W. Seventh Street  
30                  Los Angeles, CA 90017

31                  Office of the United States Trustee  
32                  United States Courthouse  
33                  501 "I" Street, Suite 7-500  
34                  Sacramento, CA 95814

35                  Dated:

36                  \_\_\_\_\_  
37                  Marilyn Rigsby  
38                  Deputy Clerk